

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

Claims 1, 5, 7-10, and 14 have been amended. Claims 1-20 remain pending in the application, with claims 18-20 withdrawn from consideration as being directed to a constructively non-elected invention. Claims 1 and 18 are independent. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

In response to the examiner's remarks regarding Applicant's previous arguments for patentability (see paragraph bridging Office Action pages 3 and 4), claim 1 has been amended to further define a structural feature of the base insert device. Instant claim 1 defines the device's gluing stations as being configured to apply a starch glue. Claim 1 has also been amended to comply with U.S. practice with respect to the feature of "one or more gluing stations that provide glue spread to at least one of areas of the folds to be glued and labels provided with the bottom for gluing." Claims 5, 7-10, and 14 have been editorially amended for improved readability. Entry of each of the amendments is respectfully requested.

35 U.S.C. § 102(b) – Boger

Claims 1, 4-8, and 10-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,687,137 to Boger et al. (hereinafter "Boger").

The rejection of claims 1, 4-8, and 10-17 under § 102(b) based on Boger is respectfully deemed to be obviated. For all of the reasons articulated in Applicant's reply filed February 13, 2008, and the reasons presented herein, the disclosure of Boger does not anticipate Applicant's presently claimed invention.

As indicated above, claim 1 has been amended to further define a structural feature of the base insert device. Instant claim 1 defines the device's gluing stations as being configured to apply a *starch* glue. As such, Applicant's claimed device even more clearly distinguishes over Boger's apparatus that dispenses a "molten thermoplastic adhesive such as pressure-sensitive hot melt adhesive" (column 2, lines 26-27).

By way of review, in a "format-specific glue application" a conventional gluing station has a roller that is supplied with glue by a glue roller or other glue storing and transfer components (instant specification page 1/7, last paragraph). Applicant discloses that "[t]his type of glue application has stood the test of time since it enables the clean and format-specific application of large quantities of starch glue, which is otherwise difficult to handle" (specification page 2/7, first paragraph). However, a

problem associated with prior art "format-specific glue application" devices is that the "glue transfer makes it necessary to provide and subsequently clean a plurality of glue transfer components, for instance the format rollers and the format parts" (specification page 2/7, second full paragraph).

Therefore, an object of Applicant's invention is to "further improve the design of the base insert device in such a way that these glue transfer components can be totally omitted while still enabling a format-specific application of the glue, whereby the glue must be distributed evenly over the surface to be glued" (specification page 2/7, third full paragraph).

Applicant also discloses that the adhesive used in the present invention is "an extremely viscous glue, usually starch glue" (specification page 3/7, first full paragraph). Because the glue is so viscous, the chamber 15, which is supplied with glue by the glue supplying line 13, must have a cross-section that is "dimensioned in such a way that a circle having a diameter of 5 mm can be inscribed so as to ensure a continuous flow of glue to all the valves" (specification page 3/7, first full paragraph). Accordingly, Applicant's claim 1 defines a base insert device that includes, *inter alia*, a glue chamber with "a diameter of at least 5 mm in at least one place."

Boger's apparatus is structurally and functionally different from Applicant's claimed apparatus. That is because Boger describes an adhesive dispensing apparatus for disposable

diapers (column 1, line 13), not a bag insert device. Applicant's claimed device has a glue application head that provides the base folds of a so-called valve bag with starch glue in order to provide adhesion for the inserted valve patches. But Boger, in gluing layers of sheets to form the disposable diaper, applies the aforementioned hot adhesive, i.e., a "molten thermoplastic adhesive such as pressure-sensitive hot melt adhesive" (column 2, lines 26-27). Boger's apparatus, therefore, is structured to apply the hot melt adhesive, not the starch glue for which Applicant's base insert device is configured.

Boger, in fact, contains no disclosure whatsoever relating to the dimensions of any aspect of his "adhesive flow passages" (see, e.g., column 6, lines 50-65). Applicant's claim 1, however, defines a base insert device that includes a glue chamber with "a diameter of at least 5 mm in at least one place" in order to accommodate the starch glue.

Since Boger does not meet each feature of the claimed invention, Boger does not anticipate the invention defined by Applicant's instant claim 1. Claims 4-8 and 10-17 are allowable because they depend from claim 1, and for other reasons.

35 U.S.C. § 103(a) - Boger

Claims 2-4 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Boger.

The rejection is respectfully deemed to be obviated. For at least the following reasons, the disclosure of Boger would not have rendered obvious Applicant's presently claimed invention.

Boger is directed to a technology area that is different from that of the instant invention. In fact, when comparing Applicants' claimed invention with Boger's teaching, it is clear that the apparatus itself, the product made by the apparatus, and the glue used in the apparatus, are different from each other. Boger discloses a device that applies a hot melt adhesive to make a diaper. Applicant's device has a glue application head that provides the base folds of a valve bag with a starch glue in order to provide adhesion for the inserted valve patches.

Because of the aforementioned differences, there is simply no teaching in Boger that would have led one to modify the reference in a way that would result in the invention defined by any of claims 2-4 and 9. Accordingly, the disclosure of Boger would not have rendered obvious Applicant's claimed invention.


In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an

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interview might expedite prosecution, the examiner is invited to
contact the undersigned.

Respectfully submitted,

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